



**STATE BOARD OF EDUCATION
TRUSTEES OF BOISE STATE UNIVERSITY
TRUSTEES OF IDAHO STATE UNIVERSITY
TRUSTEES OF LEWIS-CLARK STATE COLLEGE
BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO
STATE BOARD FOR PROFESSIONAL-TECHNICAL EDUCATION
TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND**

**APPROVED MINUTES
STATE BOARD OF EDUCATION
October 16-17, 2005
Lewis-Clark State College
Lewiston, ID**

A regular meeting of the State Board of Education was held October 16-17, 2005 in Lewiston, Idaho. Board President Lewis was absent. Board Vice President Stone presided. Members present were:

Laird Stone, Vice President

Paul Agidius

Karen McGee

Marilyn Howard, State Superintendent (Dr. Howard participated by phone at various times throughout the meeting. She did not participate in the vote except where specifically noted.)

Milford Terrell, Secretary

Blake Hall

Sue Thilo

EXECUTIVE SESSION

M/S (Hall/Agidius): To move into executive session, pursuant to Idaho Code Section 67-2345(1), on October 16, 2005 at 5:00 p.m. A roll call vote was taken; motion carried unanimously 6-0 (Dr. Howard joined the meeting in progress, by phone).

M/S (McGee/Thilo): To go out of Executive Session at 7:10 p.m. and adjourn for the evening. Motion carried unanimously.

In executive session, The Board considered hiring a public officer, employee, staff member or individual agent; considered the evaluation, dismissal or disciplining of, or complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student; conducted deliberations concerning labor negotiation or to acquire an interest in real property which is not owned by a public agency; considered records that are exempt from public inspection; considered preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations; and considered and advised its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

OPEN SESSION

Vice President Laird Stone called the meeting to order at 8:10 a.m. He introduced Dr. Mike Gallagher, the newly appointed Interim President for Idaho State University.

BOARDWORK

1. Agenda Review

By unanimous consent, the Board agreed to:

- **hold item 3 of the Human Resources Section, of the Business Affairs and Human Resources agenda, until a later date;**
- **move item 4 of the Human Resources Section, of the Business Affairs and Human Resources agenda, to the Presidents' Council Report;**
- **have a separate open forum time for those commenting on the University of Idaho College of Art and Architecture issue;**
- **move item F -- Petition to Transfer Property from Bliss Joint School District to Hagerman Joint School District -- of the Department of Education agenda to approximately 11:00 a.m. to allow presenters to meet travel schedules.**

M/S (Hall/Terrell): To approve the agenda as modified. *Motion carried unanimously.*

2. Rolling Calendar

M/S (Hall/Thilo): To approve November 8, 2005 as the date and Boise, Idaho as the location for the special teleconference Board meeting. *Motion carried unanimously.*

OPEN FORUM

Elizabeth Bento, Vice President for the Associated Students of the University of Idaho, updated the Board on changes in the election process for the ASUI. Permission was granted for her to make comments later in the meeting related to the University of Idaho College of Art and Architecture issue.

3. Minutes Approval

M/S (Terrell/McGee): To approve the minutes from August 10-11, 2005, as submitted. *Motion carried unanimously.*

CONSENT AGENDA

M/S (Agidius/McGee): To approve the Consent Agenda as submitted. *Motion carried unanimously.*

1. IRSA – Approval of Pending Rule – IDAPA 08.02.03, LEP

By consent, the Board agreed to approve the pending amendment to IDAPA 08.02.03, Rules Governing Thoroughness, LEP Requirements.

2. IRSA – Approval of Pending Rule – IDAPA 08.02.03, NAEP

By consent, the Board agreed to approve the pending amendment to IDAPA 08.02.03, Rules Governing Thoroughness, NAEP Requirements.

3. BAHHR-Section I – Boise State University New Positions and Changes to Positions

By consent, the Board agreed to approve the request by Boise State University for three (3) new positions supported by appropriated and local funds; to change the FTE for one (1) position and to delete one (1) position.

4. BARH-Section I – Idaho State University New Positions

By consent, the Board agreed to approve the request by Idaho State University for eleven (11) new positions (10.25 FTE) and to increase the FTE on one (1) position (1.0 FTE).

5. BAHHR-Section I – University of Idaho New Positions and Changes to Positions

By consent, the Board agreed to approve the request by University of Idaho for four (4) new positions (3.75 FTE) supported by appropriated and non-appropriated funds.

6. BAHHR-Section I – Lewis-Clark State College New Positions

By consent, the Board agreed to approve the request by Lewis-Clark State College to add two (2) new positions (2.0 FTE).

7. BAHHR-Section II – Boise State University Naming/Memorializing Buildings and Facilities

By consent, the Board agreed to approve the request by Boise State University to name the new indoor practice facility the “Caven-Williams Sports Complex” and the attached band building, the “Keith and Catherine Stein Band Hall.”

8. BAHHR-Section II – Requests to Carry Over FY2005 Funds

By consent, the Board agreed to approve the requests by Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, Idaho State University Dental Education Program, University of Idaho Agricultural Research and Extension Service Program, UI WWAMI Medical Education Program, and the

Division of Professional-Technical Education, to carry over authorized but unspent funds from FY2005 to FY2006.

9. BAHHR-Section II – FY2007 Capital Budget Requests

Information item.

10. BAHHR-Section II – Agency Dashboard Reports

Information item.

11. PPGAC – Approval of Pending Rule: IDAPA 08.02.02, Commercial Driving Schools

By consent, the Board agreed to approve the Pending Rules: IDAPA 08.02.02, Rules Governing Uniformity, State Board Standards for Commercial Driving.

Board member Terrell raised a question related to Item 11, Commercial Driving Schools. Board member Hall indicated information was in order.

12. PPGAC – Approval of Pending Rule: IDAPA 08.02.03, Removal of Standards from the Rule and Incorporation by Reference

By consent, the Board agreed to approve the pending rule amendments to remove the achievement standards from IDAPA 08.02.03, and to adopt the same achievement standards as an incorporated document entitled, “Idaho Achievement Standards.”

13. PPGAC – Alcohol Permits Issued by University Presidents

Board member Stone reported that Item 13, related to alcohol permits issued by the University Presidents, was in order.

BUSINESS AFFAIRS AND HUMAN RESOURCES

Section I – Human Resources

Related to the coaches’ contracts, the Board’s legal counsel noted that the contracts follow the model approved by the Board.

1. Boise State University – Women’s Head Basketball Coach Contract

M/S (Hall/Stone): To approve Boise State University’s request for approval of the contract for the Women’s Head Basketball Coach, Gordon Presnell, supported by appropriated funds. Motion carried unanimously.

2. University of Idaho – Coaches’ Contracts

a. Men's

Nick Holt – Men's Head Football Coach

M/S (Agidius/Hall): To approve the University of Idaho's request for approval of a coaching contract extension for Nick Holt, Men's Head Football Coach. Motion carried unanimously.

b. Tom Jager – Women's Head Swim Coach

M/S (Thilo/Stone): To approve the University of Idaho's request for approval of a coaching contract extension for Tom Jager, Women's Head Swim Coach. Motion carried unanimously.

c. Wayne Phipps – Co-Head Coach for Men's & Women's Track and Field and Cross Country Teams

M/S (Agidius/Stone): To approve the University of Idaho's request for approval of a coaching contract extension for Wayne Phipps, Co-Head Coach for Men's & Women's Track and Field and Cross Country Teams. Motion carried unanimously.

d. Carla "Yogi" Teevens - Co-Head Coach for Men's & Women's Track and Field and Cross Country Teams

M/S (Thilo/McGee): To approve the University of Idaho's request for approval of a coaching contract extension for Carla "Yogi" Teevens, Co-Head Coach for Men's & Women's Track and Field and Cross Country Teams. Motion carried unanimously.

3. Review of Board Policy – Policies and Procedures Relating to Salary/Compensation

This item was taken off the agenda.

4. Idaho State University – Review of Salary Increases

This item was moved to the Presidents' Council Report discussion.

Section II – Business Affairs

1. Boise State University – Presentation of New Campus Master Plan

M/S (McGee/Stone): To approve the 2005 Campus Master Plan Update for Boise State University, as presented at the October 17, 2005 Board meeting. It is expected that this document will be used as a framework for future campus development. Motion carried 5-0 (Hall absent during vote).

President Robert Kustra introduced Mr. Paddy Tillatt, Principal with the Zimmer Gunsul Frasca Partnership, to make the presentation to the Board.

2. Boise State University – Eminent Domain Property Acquisition

M/S (Agidius/Stone): To authorize Boise State University to acquire, within funds available to the institution, real property identified in its master plan and to execute all documents as necessary to acquire the property and to utilize its power of eminent domain if necessary. The Vice President of Finance and Administration at BSU is hereby authorized to execute all documents necessary on behalf of the State Board of Education, subject to final review by the Board's Executive Director and legal counsel. Motion carried 5-0 (Hall absent during vote).

3. Boise State University – Plan and Design of Student Union Building Expansion and Parking Deck

M/S (McGee/Thilo): To approve the request by Boise State University to procure architectural services, not to exceed \$650,000, to complete pre-design and programming plans for the expansion of the Student Union Building. Motion carried 5-0 (Hall absent during vote).

4. Boise State University – Purchase of Specialized Electron Microscope

M/S (Thilo/McGee): To approve Boise State University's request to release funds awarded by the National Science Foundation (NSF), in the amount of \$621,000, for the purchase of a thermal ionization mass spectrometer (TIMS). Motion carried 5-0 (Hall absent during vote).

5. Boise State University – Citadel Communications Contract Addendum over \$500K

M/S (Thilo/McGee): To approve the second Addendum to the 2002 Agreement between Boise State University and Citadel Communications Corporation (KBOI) for radio broadcasting for certain Boise State athletic events, for the purpose of extending the original agreement for an additional two years, and to include modifications to the programming and increasing the cash payment and in-kind value of the Agreement. Motion carried 5-0 (Hall absent during vote).

6. Boise State University – Interactive Learning Center Increased Construction Costs

M/S (McGee/Stone): To approve increasing the Interactive Learning Center project budget by \$2,400,000 for a total project budget of \$13,500,000. Motion carried 5-0 (Hall absent during vote).

Stacy Pearson reviewed this item. She introduced Ray Hoobing and David Moe of CM Company, Inc., along with Scott Henson of Lombard-Conrad Architects, PA, to provide additional details.

7. Idaho State University – Requests for Proposals for Replacement Hardware/Operating System and to Convert to UNIX-Based System

M/S (Agidius/Thilo): To approve the request by Idaho State University to develop two Requests for Proposal regarding the ISU information technology systems. The RFP's will be for replacement of IT hardware and operating system, and to convert existing software to run on a UNIX-based system. Motion carried 5-0 (Hall absent during vote).

Ken Prolo, Vice President of Financial Services for Idaho State University, presented this item and introduced Randy Gaines to summarize the request. It was noted ISU had been advised to replace the IT hardware right away. Board member McGee mentioned concerns had been brought to her attention by ISU staff and asked Mr. Prolo to keep the Board informed.

At this time Board Vice President Stone recognized Senator Joe Stegner, who was in the audience.

8. University of Idaho – Property Easement – Hagerman Aquaculture

M/S (McGee/Thilo): To approve the request by University of Idaho to grant two utility easements across a portion of the UI Aquaculture Research Center in Hagerman, Idaho, and to authorize the University of Idaho Vice President for Finance and Administration to execute said easements in substantially the same form as submitted as part of this request (see Attachment 8-1). Motion carried 5-0 (Hall absent during vote).

9. University of Idaho – Property Easement – UI Experimental Forest

M/S (Thilo/Stone): To approve the request by University of Idaho to grant a non-exclusive access easement across a portion of the UI experimental forest to Mr. Freeman Wells, and to authorize the University's Vice President for Finance and Administration to execute said easement in substantially the same form as submitted as part of this request (see Attachment 9-1). Motion carried unanimously.

10. Lewis-Clark State College – Sale of Property: Student Residence

M/S (Thilo/McGee): To approve the sale of two lots at 802 4th Street and 828 4th Street by Lewis-Clark State College to McCann Limited Partnership for the express purpose of constructing a residence hall. Motion carried unanimously.

11. FY2007 Budget Revisions

M/S (Agidius/Hall): To approve the increase of the College and University FY2007 MCO request for Replacement Items by \$2,153,100; to decrease Inflationary Adjustments by \$237,700 and Nondiscretionary Adjustments by \$282,200; and to decrease the Line Item for Occupancy costs by \$77,300. Motion carried unanimously.

Jeff Shinn, Office of the State Board, indicated several technical budget revisions came forward after the August Board meeting and this action will take care of them.

At this time, the Board moved to **Item F of the State Department of Education** agenda.

F. Petition to Transfer Property from Bliss Joint School District No. 234 to Hagerman Joint School District No. 233

M/S (Thilo/Howard): To disapprove the hearing officer's recommendation. Motion carried unanimously.

Dr. Marilyn Howard joined the meeting by phone for this item. Dr. Jana Jones, Chief Deputy Superintendent of the Department of Education, introduced Superintendent Lee Mitchell from the Hagerman School District and Superintendent Kevin Lancaster from the Bliss School District to summarize concerns they had with the property transfer.

Mr. Mitchell reported the Hagerman School District opposed the transfer because of possible future ramifications. He asked the Board to use caution. Mr. Lancaster noted four students already attend school in the Hagerman School District using the open enrollment option. Mr. Lancaster requested the Board to reconsider the recommendation of the hearing officer. Mr. Lancaster also noted that the hearing officer hadn't considered the safety issues related to having two buses traveling down a rural road at the same time.

The Board discussed the hearing officer's recommendation. Board member Hall expressed concerns about the safety issues related to bus traffic. Board member Thilo pointed out that students already attend schools in Hagerman using the open enrollment option.

At the conclusion of this item, Dr. Howard signed off.

At this time the Board returned to the **Business Affairs and Human Resources Agenda -- Finance Section.**

12. First Reading -- Amendment of Board Policy -- Section V.S.2., Enrollment Workload Adjustment Base Multiplier

M/S (Thilo/Agidius): To approve for first reading the changes to the Idaho State Board of Education Governing Policies and Procedures, Section V.S.2., Allocation of Lump Sum Appropriation (BSU, ISU, UI, LCSC) to increase the credit hour multiplier from 0.33 to 0.67 used in the Enrollment Workload Adjustment calculation. *Motion carried unanimously.*

Jeff Shinn explained the purpose of the increase and the institutions indicated their support. During discussion, Mr. Shinn agreed that this increase could compete for dollars for other priorities such as equity funding and other line item requests.

Board member Hall emphasized the need to clearly state the message for legislators so they understand this adjustment does not resolve the numerous other issues and line items.

13. First Reading -- Amendment of Board Policy – Section V.E., Gifts and Affiliated Foundations

M/S (Hall/McGee): To approve for first reading the changes to Idaho State Board of Education Governing Policies and Procedures, Section V.E., Gifts and Affiliated Foundations. *Motion carried unanimously.*

Jeff Shinn introduced this item and the institutions provided additional comments for the Board's consideration.

Ken Prolo of Idaho State University indicated that the ISU foundation recommended changing the language in section 2b on Page 9 of Tab 13 to read: "Procedures with respect to foundation expenditures and financial transactions, which must ensure that no person with foundation signature authority shall have the same or similar authority at the institution." Board member Hall indicated he wanted to make a motion to amend the document to include the recommended change, however, no further action followed.

Stacy Pearson and Dr. Robert Kustra of Boise State University expressed concerns about the tone of the document. Board member Hall explained that the Board desired to institutionalize the system to assure integrity. He also reminded the institutions that additional changes could be made between the first reading and the second reading of the proposed policy.

14. College and Universities – Sources and Uses of Funds

Information item.

At this time, Board member Terrell brought an "Other Business" item to the attention of the Board. He referred to action taken at the August Board meeting and asked for a motion to reconsider the universities' budget.

M/S (Agidius/Thilo): To reconsider the motion of August 10-11, 2005, wherein the FY2007 budget request for the Colleges and Universities was approved. *Motion carried 5-1 (Hall dissenting).*

M/S (Agidius/Thilo): To reaffirm approval of a fully-developed FY2007 Maintenance of Current Operations (MCO) budget request for the College and Universities. This includes any revisions approved at the meeting of October 17, 2005, and any other adjustments needed to comply with guidelines as set forth by the Division of Financial Management or Legislative Services Office. The Interim Executive Director is authorized to approve changes to the MCO budget request to be submitted.

In addition, the official budget request for the College and Universities shall be revised to include only the following Line Items:

Occupancy Costs	\$ 514,300
Faculty Salary Enhancements	\$ 9,209,700
Funding Equity, including Research	\$ 2,184,000

Amended M/S (Hall/Stone): To amend the motion as follows: to strike “revised to include only the following line items” and insert, “prioritized, as follows”; and to list the three priority items and then add onto the language before this statement: “All other items will be retained in the budget request.” *Motion carried 4-2 (Ayes: Hall, McGee, Stone and Agidius; Nays: Terrell and Thilo).*

It was agreed to approve the motion as amended. *Motion carried unanimously.*

Board member Hall recalled the Joint Finance and Appropriation Committee, along with the leadership of both houses had requested the Board to provide a full list of the needs of each institution. He encouraged the motion be amended by removing the words, “to include only the following line items,” and by adding language to indicate what the top three priorities are.

Dr. Tim White asked for a recess to allow the institutions time to review the materials. Following the recess, the institutions reported they all agreed it was appropriate to provide the top three priorities to the legislature as long as the complete list of needs was also provided.

Board member McGee got clarification about what JFAC and the legislative leadership want from the Board. Matt Freeman of the Legislative Services Office indicated that the legislature wants the list of needs as well as guidance from the Board as to the priorities. Board members Terrell and Thilo raised concerns about the legislature having so much latitude to determine the priorities.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS

1. Presidents' Council Report

President Michael Burke of North Idaho College presented the Presidents' Council report to the Board. He reported on the Presidents' discussion of the student health insurance plans and noted that a task force is in place. He explained that the institutions have different health insurance needs due to their diverse missions, scopes of work, delivery systems, locations, and populations served. The Presidents will present recommendations at the December Board meeting.

Board member Hall introduced Idaho State University Interim President Mike Gallagher. Dr. Gallagher commented on concerns related to salary increases given to the executive level personnel at ISU. He noted that an announcement about voluntary reductions and guidelines for salary increases was forthcoming.

2. Lewis-Clark State College Progress Report

President Dene Thomas presented the Lewis-Clark State College progress report to the Board. She discussed the rolling five-year strategic plan, the areas of involvement and impact, the key issues being addressed, and program initiatives. She reported that the Northwest Commission on Colleges and Universities visited in October 2004 and noted that accreditation was affirmed with the recommendation that LCSC continue to do what it is currently doing.

Board member Hall thanked Dr. Thomas and commended her and LSCS for their continued progress.

3. Legislative Amendments

M/S (Thilo/McGee): To approve the proposed legislative amendments concerning Uniform Reporting of Student Information, the Rulemaking for the Board for the Division of Vocational Rehabilitation, and the Registration Process for Postsecondary Institutions. *Motion carried unanimously.*

Board member Hall reviewed the three items of legislation that the Board will be taking forward this year.

The first item, the Uniform Reporting of Student Information, removes all references to ISIMS in Idaho Code. The second item, Rulemaking Authority for the State Board of Education for Idaho Division of Vocational Rehabilitation, gives the Division of Vocational Rehabilitation the ability to create administrative rules. The third item, Idaho's Course/Program Registration Process, establishes a more stringent set of rules to govern any private profit or not-for-profit postsecondary institution located outside the state of Idaho, but offering academic credit in Idaho.

At this time, Dr. Marilyn Howard joined the meeting by telephone.

4. First Reading – Amendment of Board Policy – Section IV.B.10., Idaho Student Information System

M/S (Agidius/McGee): To approve for first reading, the amendment to the State Board of Education Governing Policies and Procedures, Section IV.B.10., Idaho Student Information Management System (ISIMS). *Motion carried unanimously.*

At this time, Jeff Shinn pointed out an inaccurate statement found in the background information on Page 1 of Tab 3, having to do with the Legislative Amendments. He referred to the statement that reads: “DFM also denied the University of Idaho’s request for a self-funded insurance program.” Mr. Shinn explained that what the Division of Financial Management actually disagreed with was the request to be exempted from the State Department of Insurance registration program. This clarification was noted by the Board.

INSTRUCTION, RESEARCH AND STUDENT AFFAIRS

1. Report on the University of Idaho Architecture Program

M/S (Hall/McGee): To reverse the action of the Executive Director authorizing the closure of the College of Art and Architecture and to order the University of Idaho to reinstate the same by the 06-07 school year. *A roll call vote was taken; motion carried 5-2 (Terrell and Stone dissenting).*

Board Vice President Stone briefly summarized this item and outlined the process for hearing comments and remarks.

Special Open Forum

Elizabeth Bento, Associated Students of the University of Idaho (ASUI) Vice President, reported some students favor reestablishing the College of Art and Architecture while others are worried about its financial impact on students. The ASUI recommended waiting until the financial situation at the UI is better before considering this item, but agreed they could support the reestablishment of the College of Art and Architecture as long as the Board guaranteed the general student fee would not be increased to support it.

Senator Joe Stegner encouraged the Board to reestablish the College of Art and Architecture and brought up two points for consideration. First, the closure of the College sends a message that the State of Idaho does not value either the students or the profession. And second, the real possibility students will go to other schools if the College is not reestablished.

Jeff R. Richard, of the Independent Students of Art and Architecture, recommended the College of Art and Architecture be reestablished. He indicated the students in the Art and Architecture program favor a fee increase for students in that program, only. He

noted that the insertion of the word “architecture” into the name of another college didn’t provide autonomy for either the profession or the program.

Bill Woolston, Chair of the Department of Art and Design spoke on behalf of the faculty in support of the reestablishment of the College of Art and Architecture. He summarized the effort, the people involved, and the substance of their position on this issue. He emphasized the need to reverse the decision made by the previous administration in order to avoid further paralysis related to the program.

University of Idaho Presentation

President Tim White, University of Idaho, described the approach the UI administration had taken related to the Art and Architecture program. He acknowledged there had been poor communication and ambiguity when the decision to close the College occurred. He agreed that trust had eroded and visibility had gone down. Dr. White suggested visibility could be immediately addressed by temporarily inserting the word “architecture” into the name of the College of Letters, Arts, and Social Sciences. He accepted responsibility for the shortcomings of the institution related to this issue and expressed a desire to move forward. He outlined a proposal to create a business plan tied to an academic plan, including public-private partnership. Dr. White suggested this approach responded to the voices of students, faculty, alums and stakeholders, and provided a solution for the Regents of the UI, for the UI, and for all the stakeholders.

College of Art and Architecture Foundation (CA&A Foundation) Presentation

Members of the College of Art and Architecture Foundation presented their position. Making remarks were: Steve Kopke, of Design and Program Management, and President of the College of Art and Architecture Foundation; Hugh Burgess, of Honolulu, Hawaii (Dean Emeritus, Arizona State University College of Architecture and Environmental Design, Founding Dean, School of Architecture, University of Nevada Las Vegas); Mark Pynn of McMillen Pynn Architecture, and Vice President of the College of Art and Architecture Foundation; Steve Trout, of Trout Architects/Chartered, and Incorporator of the College of Art and Architecture Foundation; and Mike Patano, of Patano Architects and member of the Board of Directors of the College of Art and Architecture Foundation.

Mr. Kopke noted alumni are committed, long-term, to the College of Art and Architecture. He indicated the CA&A Foundation strongly supports reestablishing the College. Mr. Kopke suggested decisions made by Dr. Robert Hoover and Board of Education Executive Director Gary Stivers violated policy because timelines were not followed, financial data was not provided, and input from faculty and students was not obtained. He formally requested the Board to reverse the decision to close the College and to reestablish the College of Art and Architecture.

Mr. Burgess reported the results of a national survey that compared and measured the quality of accredited architectural programs in the United States. He indicated no model

exists where a professional college is mixed in with liberal arts programs and colleges. He explained architecture is a legally established profession like law and medicine, and deserved to have the same regard as those professions at the UI. Mr. Burgess strongly recommended revoking the decision by the former executive director and to reestablish the College of Art and Architecture at the University of Idaho.

Mr. Pynn explained that in July, 2004, the National Architecture Accrediting Board (NAAB) reported their primary concern with the UI Art and Architecture program is the deficiency, under the administrative structure, with regard to the degree of autonomy required of professional programs in architecture. He argued that the UI administration's plan to put the architecture program within the College of Letters, Arts, and Social Sciences does not provide the necessary level of autonomy. He argued that a liberal arts dean cannot adequately serve a professional program. Mr. Pynn strongly urged the Board to reverse the decision to close the College and reestablish the College of Art and Architecture at the UI.

Mr. Trout presented the financial picture and noted the College of Art and Architecture always operated in the black. He explained that while Dr. Hoover mentioned financial reasons for his request to dissolve the College, he never provided data to justify his request. Mr. Trout referred to the UI's published budget, noting the salaries of two of the positions eliminated in Dr. Hoover's consolidation effort – the Dean of Letters and Science and the Development Coordinator – totaled \$198,000, well above the \$150,000 limit for the executive director's authorization. He indicated the cost to reestablish the College would be about \$250,000, one tenth of one percent of the overall UI budget, and urged the Board to reestablish the College of Art and Architecture.

Mr. Patano encouraged the Board to reestablish the College for the sake of the students. He restated the point that the leadership of the past made a decision without following policy or providing financial justification. Mr. Patano argued that enrollment is down and that students are being jeopardized. He reminded the Board that 800 students, and their parents, friends and supporters have expressed support for reestablishing the College. In addition, faculty of the Department of Art and Architecture, along with the Idaho American Institute of Architects, the CA&A Foundation and hundreds of friends of the foundation, and alumni have lent their support to the cause. Mr. Patano encouraged the Board to reverse the decision made by the executive director and to reestablish the College of Art and Architecture.

Discussion and Comments

During discussion with the Board members, Mr. Trout indicated growth trends show a decrease since 2002. He noted the economy is up, so decreased enrollments cannot be blamed on it. Mr. Patano added that the global demand for architects is greater than ever.

Mr. Pynn explained the accreditation report concerns regarding the administrative structure make it necessary for the Board to act now. Board member Stone noted

President White had given assurance the College of Art and Architecture would be autonomous, but Mr. Kopke pointed out that no plan had been received from President White giving that assurance.

Board member Hall noted that while President White had mentioned having some kind of autonomous structure, the request of the CA&A Foundation is for a stand-alone college. Mr. Pynn reiterated that the accrediting body specifically noted that the reorganization plan had not provided the assurance the program would have the kind of autonomy comparable to other professional programs at the institution.

Mr. Patano explained the need for architecture to have the same standing as other professional programs at the UI and indicated industry supports that claim. He suggested Dr. White's plan is an experiment that could not assure a positive outcome. Mr. Patano pointed out that if the College had not been unique, successful and reputable, there would not have been the level of support there has been for reestablishing it.

Dr. Howard indicated she could find no logical reason to not reinstate the College of Art and Architecture. She suggested that the Art and Architecture program did not belong with the components it had been placed with, and that program's strength had been sapped as a result.

Board member Terrell asked about a specific date and President White suggested a three-to-six month process was required for stakeholders to develop a business plan. He suggested a report to the Board in February. Dr. White indicated a prominent autonomous organization could possibly be in place during the course of the 2006-2007, academic-year.

Mr. Trout affirmed the anticipated cost to reinstate the college is approximately \$250,000 and that the CA&A Foundation is ready to support the effort, but won't usurp the legislature or other funding sources.

Board member Hall suggested Board policy was violated when the previous executive director approved closing the College of Art and Architecture. He pointed out no indication was ever given to the Board by the former administration of a financial need to close the program. He pledged that the State Board of Education would deliver the highest quality of education, including providing the students in this program with a distinguished College.

Board member McGee agreed with the comments made by Board member Hall and also agreed there was never any discussion with the Board about the closure of the College of Art and Architecture.

Board member Agidius noted the motion required the CA&A Foundation and the University of Idaho to return with a new plan.

President White discussed using the word “autonomous” in the motion and expressed concerns about liability issues related to other actions by the past administration. Board member Stone agreed and took the position that Board policy had not been violated. He indicated he would vote against the motion. Board member Terrell indicated he would vote in favor of a motion that used the word “autonomous” and that directed the reinstatement take place in the 2006-2007 school year.

Board member Hall reiterated that the violation of Board policy must be corrected and noted the motion did that. He pointed out the motion also provided for reinstatement of the College of Art and Architecture. He suggested the sooner the College is reestablished, the greater the likelihood of avoiding a loss of the goodwill that was in place when it was a College of distinction.

Board member Agidius asked if the College could be opened by the 2006-2007 school year and Dr. White said that student admissions would actually begin in 2007-2008.

Board member Stone made it clear that the action was not tied to the action of the CA&A Foundation. He also emphasized that passage of the motion did not open the door to any past action related to the Hoover administration and that the deans, faculty and other administrators at the UI needed to be aware of that fact. Board member Stone noted that both he and Board member Terrell supported the concept of the motion, but not the way it was worded.

Dr. Howard signed off at the conclusion of this item.

By unanimous consent, the Board agreed to move to item 7 of the IRSA agenda.

7. Rule Waiver of Administration of the Direct Math Assessment

M/S (Stone/Terrell): To deny the Boise School District rule waiver request for administering the Direct Math Assessment beginning with the 2005-2006 school year. *Motion carried unanimously.*

This item was presented by Dean Jones of the Boise School District. Board member McGee indicated she understood the issues, but voiced concern about starting a trend.

2. Office of Performance Evaluations (OPE) Findings – Idaho Council for Technology in Learning

M/S (Agidius/McGee): To approve the eighth-grade technology standards as presented by Dawn Wilson, State Department of Education, at the March 2005 Board meeting. *Motion carried unanimously.*

3. Plato Learning – I-Plan Presentation

This item was deferred to the December meeting.

4. Additional Yearly Growth (AYG) and Distinguished Schools Rewards

M/S (McGee/Agidius): To recognize the schools identified for the Distinguished Schools and Additional Yearly Growth (AYG) reward. *Motion carried unanimously.*

5. Review of the Proposed Legislation to Codify the Idaho Career Information System (CIS)

Mike Rush of the Division of Professional-Technical Education presented this information item. He noted that CIS had been sustained by Executive Order since 1983. The Division of Financial Management recommended codifying it, so the Department of Commerce and Labor will carry legislation forward in the 2006 session.

6. Proposed Rule – IDAPA 08.02.03, Rules Governing Thoroughness, Rewards

M/S (Hall/Agidius): To approve the proposed amendment to IDAPA 08.02.03, Rules Governing Thoroughness, Rewards. *Motion carried unanimously.*

DEPARTMENT OF EDUCATION – Dr. Jana Jones and Tim Hill

Dr. Jana Jones recommended that the following items be moved to a consent agenda – D, E, H, I, K, L, N and O.

M/S (Hall/McGee): To move items D, E, H, I, K, L, N and O to a Consent Agenda and to approve the Consent Agenda. *Motion carried unanimously.*

CONSENT AGENDA – Department of Education

D. Idaho State University, Special Education—Deaf and Hard of Hearing Graduate Program Focus Review Report

By consent, the Board approved the recommendation by the Professional Standards Commission to accept the state focus visit team report as approved by the Professional Standards Commission.

E. Northwest Nazarene University: Proposed Special Education Directors' Program Focus Review Report

By consent, the Board approved the recommendation by the Professional Standards Commission to accept the state team report as approved by the Professional Standards Commission, thus providing state conditional program approval for Northwest Nazarene University: Proposed Special Education Directors' Program in Nampa, Idaho.

H. Pending Administrative Rule Amendment to IDAPA 08.02.03.128.01 -- Curricular Materials Selections: Subject Areas – Adoption cycle Change and Addition of Limited English Proficiency

By consent, the Board approved the pending administrative rule amendment to IDAPA 08.02.03.128.01 -- Curricular Materials Selections: Subject Areas – Adoption cycle Change and Addition of Limited English Proficiency, as requested by the State Department of Education as submitted and specifically defined in Attachment H-1.

I. Pending Rule Amendment to IDAPA 08.02.02.004.01 -- Incorporated by Reference – Revisions to the Idaho Standards for Initial Certification of Professional School Personnel: Elementary, Mathematics, English Language Arts, Foreign Language, and Visual Performing Arts Standards Teachers

By consent, the Board approved the pending rule amendment to IDAPA 08.02.02.004.01 -- Incorporated by Reference – Revisions to the Idaho Standards for Initial Certification of Professional School Personnel: Elementary, Mathematics, English Language Arts, Foreign Language, and Visual Performing Arts (Visual Arts, Music, and Drama), as requested and submitted by the Professional Standards Commission and as specifically defined in Attachments I-2.

K. Pending Rule Amendments to IDAPA 08.02.02.022.02-.11, 08.02.02.023.02-.13, 08.02.02.024.02-.16 -- Endorsements Requirements for Teacher Certification

By consent, the Board approved the pending rule amendment to IDAPA 08.02.02.022.02-.11, 08.02.02.023.02-.13, and 08.02.02.024.02-.16 -- Endorsements as requested and submitted by the Professional Standards Commission and as specifically defined in Attachment K-1.

L. Pending Rule Amendment to IDAPA 08.02.02.076 -- Code of Ethics for Idaho Professional Educators (Sections 33-1208 and 33-1209, Idaho Code); and Pending Rule Amendment to 08.02.02.077 -- Definitions for Use with the Code of Ethics for Idaho Professional Educators (Sections 33-1208 and 33-1209, Idaho Code) – Language and Definition Clarifications in the Code of Ethics

By consent, the Board approved the pending rule amendment to IDAPA 08.02.02.076 -- Code of Ethics for Idaho Professional Educators (Sections 33-1208 and 33-1209, Idaho Code); and pending rule amendment to 08.02.02.077 -- Definitions for Use with the Code of Ethics for Idaho Professional Educators (Sections 33-1208 and 33-1209, Idaho Code) as requested by the Professional Standards Commission.

N. Pending Rule – IDAPA 08.02.02.031 -- Junior Reserve Officers Training Corp (ROTC) Instructors, and Proposed Change to .032-.033 (Reserved)

By consent, the Board approved the pending rule IDAPA 08.02.02.031 -- Junior Reserve Officers Training Corp (Junior ROTC) Instructors and proposed change to .032-.033 (Reserved) as requested by the State Department of Education and the Professional Standards Commission.

O. Pending Rule Amendments to IDAPA 08.02.02.028 -- Exceptional Child Certificate; IDAPA 08.02.02.029 Consulting Teacher Endorsement; and IDAPA 08.02.02.030 -- Supervisor/ Coordinator of Special Education Endorsement

By consent, the Board approved the Pending Rule Amendments to IDAPA 08.02.02.028 -- Exceptional Child Certificate; IDAPA 08.02.02.029 Consulting Teacher Endorsement; and IDAPA 08.02.02.030 -- Supervisor/Coordinator of Special Education Endorsement requested by the State Department of Education and the Professional Standards Commission.

REGULAR AGENDA – Department of Education

B. Request for Letters of Authorization

M/S (Hall/McGee): To approve the request for Letters of Authorization as submitted by the Professional Standards Commission. *Motion carried unanimously.*

C. Annual Report – Hardship Elementary School – Cassia County School District No. 151, Albion Elementary School

Tim Hill presented this item and noted that no action was required unless the Board wanted to rescind the action.

G. Petition to Transfer Property from West Bonner School District No. 83 to Lakeland Joint School District No. 272

M/S (Thilo/McGee): To approve the hearing officer's recommendation. (This motion was later withdrawn.)

M/S (Terrell/Agidius): To disapprove the hearing officer's recommendation. *Motion carried unanimously.*

Dr. Jana Jones reported that the Department of Education supported the hearing officer's recommendation to deny the petition for the property transfer. Superintendent Feldhausen from West Bonner School District summarized the request. It was noted that West Bonner School District opposes the transfer of the land.

Tonya Reed, a parent from the West Bonner District, argued in favor of the transfer of property based on geographical distances between the students in the area of impact

and the schools they are required to attend. She noted that children often spend up to two hours on the school bus, one way. In addition, impacted students can't fully participate in extracurricular or school-related community activities due to the distance. She indicated there are schools in the Lakeland District only a few miles from her home and asked that the Board oppose the recommendation of the hearing officer.

Board member Thilo said one concern expressed by the hearing officer was the possible loss to the tax district, but Superintendent Feldhausen indicated that the district could probably cut staff if there was adequate timing to prepare for that event. He also noted that patrons favor having the autonomy of a small district and are opposed to consolidating the two districts.

Board member Hall noted the Lakeland School District wasn't represented at the Board meeting. He explained that if the Board disapproved the hearing officer's recommendation, the matter would be voted on by the communities involved. Based on discussion, Board member Thilo withdrew her motion.

J. Withdrawal of Proposed Rule Amendment to IDAPA 08.02.02.020.01 -- Standard Secondary Certificate Professional Education Core Requirements – Reading in the Content Area.

Dr. Jana Jones noted the Professional Standards Commission agreed not to move forward with this rule and this item was withdrawn from the agenda.

M. Proposed Rule Amendments to IDAPA 08.02.03.103.02, .104.01, .104.02, .014.03 and .107.06 -- Revisions to Physical Education Requirements for K-12.

This item will be presented for Board discussion in November.

P. Approval to Operate an Elementary School with Less than Ten (10) Pupils in Average Daily Attendance

Tim Hill discussed this information item, noting that all the districts requesting approval requested approval last year as well.

Q. Report on Reading Scores

Dr. Jana Jones introduced Christine Hanson, Reading Coordinator for the Department of Education to report on this item.

R. Presentation of the Public School Budget for FY2007

Tim Hill summarized the Public School Budget for FY2007.

Board member Terrell raised a question about the use of funds for physical education and asked the Department of Education to provide data that demonstrates a need for this program in Idaho.

M/S (Hall/Agidius): Moved to adjourn at 6:00 p.m. *Motion carried unanimously.*